

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **SUDHIR K. GOEL, M.D.**

4 Holder of License No. 27103
5 For the Practice of Allopathic Medicine
6 In the State of Arizona

Case No. MD-05-1118A

**CONSENT AGREEMENT FOR
LETTER OF REPRIMAND**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and Sudhir K. Goel, M.D. ("Respondent"), the parties agreed to the following
10 disposition of this matter.

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").
13 Respondent acknowledges that he has the right to consult with legal counsel regarding
14 this matter.

15 2. By entering into this Consent Agreement, Respondent voluntarily
16 relinquishes any rights to a hearing or judicial review in state or federal court on the
17 matters alleged, or to challenge this Consent Agreement in its entirety as issued by the
18 Board, and waives any other cause of action related thereto or arising from said Consent
19 Agreement.

20 3. This Consent Agreement is not effective until approved by the Board and
21 signed by its Executive Director.

22 4. The Board may adopt this Consent Agreement of any part thereof. This
23 Consent Agreement, or any part thereof, may be considered in any future disciplinary
24 action against Respondent.

25 5. This Consent Agreement does not constitute a dismissal or resolution of other
matters currently pending before the Board, if any, and does not constitute any waiver,

1 express or implied, of the Board's statutory authority or jurisdiction regarding any other
2 pending or future investigation, action or proceeding. The acceptance of this Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject
5 of this Consent Agreement.

6 6. All admissions made by Respondent are solely for final disposition of this
7 matter and any subsequent related administrative proceedings or civil litigation involving
8 the Board and Respondent. Therefore, said admissions by Respondent are not intended
9 or made for any other use, such as in the context of another state or federal government
10 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
11 any other state or federal court.


12 7. Upon signing this agreement, and returning this document (or a copy thereof) to
13 the Board's Executive Director, Respondent may not revoke the acceptance of the
14 Consent Agreement. Respondent may not make any modifications to the document. Any
15 modifications to this original document are ineffective and void unless mutually approved
16 by the parties.

17 8. If the Board does not adopt this Consent Agreement, Respondent will not
18 assert as a defense that the Board's consideration of this Consent Agreement constitutes
19 bias, prejudice, prejudgment or other similar defense.

20 9. This Consent Agreement, once approved and signed, is a public record that will
21 be publicly disseminated as a formal action of the Board and will be reported to the
22 National Practitioner Data Bank and to the Arizona Medical Board's website.

23 10. If any part of the Consent Agreement is later declared void or otherwise
24 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
25 and effect.

1 11. Any violation of this Consent Agreement constitutes unprofessional conduct
2 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("violating a formal order,
3 probation, consent agreement or stipulation issued or entered into by the board or its
4 executive director under this chapter") and 32-1451.

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7 
8 Sudhir K. Goel, M.D.

DATED: 10/26/2006

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 27103 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-05-1118A after receiving a complaint regarding Respondent's care and treatment of a forty-eight year-old male patient ("DL").

4. Respondent saw DL twenty-eight times for outpatient visits from November 18, 2004 to July 1, 2005. DL's complaints included hypertension, left knee pain, dental problems, obesity, Chronic Obstructive Pulmonary Disease (COPD) and anxiety. Respondent addressed these problems with medications. Respondent did not document DL's obesity as a contributing factor to DL's health problems.

5. Respondent documented that DL first complained of knee pain beginning on November 18, 2004. Respondent ordered three knee x-rays in six months; however DL only had one x-ray taken. Respondent did not document performing a knee examination until the seventh visit on January 4, 2005.

6. On December 8, 2004 Respondent documented that DL presented to him with a complaint of back pain. At this initial visit Respondent did not document his assessment of the severity of DL's back pain or whether he performed a back examination. However, at subsequent visits Respondent documented DL's back pain and sometimes referred to it only as "pain management."

7. A physician is required to maintain adequate legible medical records containing, at a minimum, sufficient information to identify the patient, support the diagnosis, justify the treatment, accurately document the results, indicate advice and cautionary warnings provided to the patient and provide sufficient information for another

1 practitioner to assume continuity of the patient's care at any point in the course of
2 treatment. A.R.S. § 32-1401(2). Respondent's records were inadequate because over a
3 period of visits he failed to document the severity of the DL's problems and the
4 examinations concerning the assessment of the DL's back pain, and when Respondent
5 started documenting it was inadequate.

6 8. The standard of care in a patient presenting with back pain is to perform a
7 physical examination and assessment of the back pain.

8 9. Respondent deviated from the standard of care because he did not examine
9 or assess DL's back pain.

10 10. DL's back pain could have resulted in temporary or permanent spinal cord
11 injury.

12 **CONCLUSIONS OF LAW**

13 1. The Board possesses jurisdiction over the subject matter hereof and over
14 Respondent.

15 2. The conduct and circumstances described above constitute unprofessional
16 conduct pursuant to A.R.S. § 32-1401(27)(e) ("[f]ailing or refusing to maintain adequate
17 records on a patient.").

18 3. The conduct and circumstances described above constitute unprofessional
19 conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be
20 harmful or dangerous to the health of the patient or the public.").

ORDER

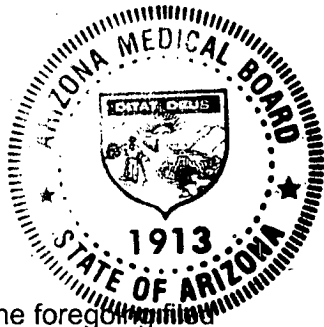
IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand for failure to document the severity of the patient's back pain and examinations concerning the assessment of the patient's back pain after several visits and for failure to adequately document subsequent back examinations.

2. This Order is the final disposition of case number MD-05-1118A.

DATED AND EFFECTIVE this 7th day of December, 2006.

(SEAL)



ARIZONA MEDICAL BOARD

By

Timothy C. Miller
TIMOTHY C. MILLER, J.D.
Executive Director

ORIGINAL of the foregoing filed
this 8th day of December 2006 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed
this 8th day of December, 2006 to:

Sudhir K. Goel, M.D.
Address of Record

Li M. Goel
Investigational Review